

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

JAMES WALTHER,

Plaintiff, : Case No. 3:17-cv-257

- vs -

District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

FLORIDA TILE, INC., et al.,

Defendant. :

RECUSAL ORDER

This case was randomly assigned to the undersigned upon its filing in August 2017. District Judge Rose has now entered a Preliminary Pretrial Conference Order which refers the case to me for pretrial management purposes (ECF No. 19, PageID 154). However, many of the dates set in the Order occur after expiration of my term of office on March 1, 2018.

Therefore, I recuse myself from further judicial participation in this case and direct the Clerk to randomly reassign the case to one of the other Magistrate Judges resident at Dayton.

October 16, 2017.

s/ *Michael R. Merz*
United States Magistrate Judge